

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a political subdivision to regulate certain activities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 2, Occupations Code, is amended by adding Chapter 60 to read as follows:

CHAPTER 60. PREEMPTION

Sec. 60.001. PREEMPTION OF LOCAL LICENSING REQUIREMENTS. (a) In this section:

(1) "Occupational license" means a license, permit, registration certificate, or other authorization that is:

(A) issued by a licensing authority; and

(B) required by an ordinance, rule, regulation, policy, or law for an individual to engage in an occupation.

(2) "Political subdivision" means a county, municipality, special district, or other political subdivision of this state.

(3) "State licensing authority" means a state agency, department, board, or commission or the executive or administrative officer of a state agency, department, board, or commission that issues an occupational license.

(b) Notwithstanding any other law, if an individual is required to possess an occupational license issued by a state licensing authority to

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engage in an occupation, the governing body of a political subdivision may not adopt or enforce any ordinance, order, rule, regulation, law, or policy that requires the individual to:

(1) possess an occupational license issued by the political subdivision to engage in that occupation; or

(2) meet any other requirement or precondition to engage in that occupation.

(c) An ordinance, order, rule, regulation, law, or policy that violates this section is void and unenforceable.

SECTION 2. This Act takes effect September 1, 2019.